

Rancho Santiago Community College District
ADMINISTRATIVE REGULATION
Chapter 3
General Institution

AR 3310 Records Retention and Destruction

References:

Title 5, Sections 59020, et. Seq
Title 5, Sections 16022, 16023 and 16025
Education Code Section 35254
Federal Rules of Civil Procedure; Rules 16, 26, 33, 34, 37, 45

Records of the Rancho Santiago Community College District shall be retained, as appropriate, in accordance with Section 59020 through 59029 of Title 5 of the California Code of Regulations and other applicable provisions of state and federal law.

The Chancellor delegates to the Vice Chancellor, Business Services or designee, the authority to classify all records for retention purposes, transfer the classification of records from one class to another, certify, supervise and approve the destruction of records as long as it is not in conflict with any applicable laws.

I. LEGAL DEFINITION OF RECORDS (Section 59020)

What a record is: All records, maps, books, papers, data processing output, student records and electronic documents.

What a record is not: Additional copies of documents beyond the original or one copy; correspondence between District employees that does not pertain to personnel matters or constitutes a student record; advertisements and other sales materials received; or textbooks used for instruction, and other instructional materials, including library books, pamphlets and magazines.

II. CLASSIFICATION OF RECORDS (Section 59022)

Records shall be classified as either Class 1 – Permanent, Class 2 – Optional or Class 3 – Disposable.

A. Class 1 – Permanent Records – As defined in Title 5, Section 59023. The original of each of the records, or one exact copy when the original is required by law to be filed with another agency, and must be retained indefinitely unless copied or reproduced on film or electronically.

1. Examples of Class 1 – Permanent Records (Section 59023)

a. Annual reports:

- i. Official budget
 - ii. Financial reports of all funds, including cafeteria and student body funds
 - iii. Audit reports of all funds
 - iv. Average daily attendance/full-time equivalent student (ADA/FTES) including Period 1 and Period 2 reports
 - v. Other major annual reports, including:
 - 1. Those relating to property, activities, financial conditions or transactions.
 - 2. Those declared by Board minutes to be permanent.
- b. Official actions:
- i. Minutes of the Board or committees thereof, including the text of a rule, regulation, policy, or resolution not set forth verbatim in the minutes but included therein by reference only.
 - ii. Elections, including the call, if any, for and the result (but not including detail documents, such as ballots) of an election called, conducted or cancelled by the Governing Board for a Board Member, the Board Member's recall, issuance of bonds, incurring any long-term liability, change in maximum tax rates, reorganization, or any other purpose.
 - iii. Records transmitted by another agency that pertain to that agency's action with respect to District organization.
- c. Personnel records of employees:
- i. All records relating to employment, assignment, employee evaluations, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave records, other absence records (such as vacation cards and other absence cards), retirement records, time worked, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid.
- d. Student records:
- i. The records of enrollment and scholarship for each student, including but not limited to:
 - 1. Name of student
 - 2. Date of birth
 - 3. Place of birth
 - 4. Name and address of a parent having custody or a guardian, if the student is a minor
 - 5. Entering and leaving date for each academic year and for any summer session or other extra session
 - 6. Subjects taken during each year, half year, summer session or quarter
 - 7. If grades or credits are given, the grades and number of credits toward graduation allowed for work taken.
 - ii. All records pertaining to any accident or injury involving a student for which a

claim for damages has been filed as required by law, including any policy of liability insurance relating thereto, except that these records cease to be Class 1 – Permanent Records one year after the claim has been settled or applicable statute of limitations has run.

e. Property records:

- i. All detail property records relating to land, buildings, and equipment. In lieu of such detail records, a complete property ledger may be classified as Class 1 – Permanent, and the detail records may then be classified as Class 3 – Disposable, if the property ledger includes:
 1. All fixed assets
 2. An equipment inventory
 3. For each unit of property, the date of acquisition or augmentation, the person from whom acquired, an adequate description or identification, and the amount paid, and comparable data if the unit is disposed of by sale, loss or otherwise.

f. Archival records:

- i. Not required by law to be kept permanently but a District policy to retain documents related to historical events of the District, yearbooks, plaques, awards, photographs, etc.

g. Foundation records (District and Colleges):

- i. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations and corresponding regulations governing operation of Title 26, USCA, Section 501(c)(3) tax exempt not-for-profit organizations.

B. Class 2 – Optional Records (Section 59024) – Not required by law to be retained permanently, but deemed worthy of further preservation as specified in Title 5, Section 59024. Any record not classified as Class 1 – Permanent may be classified as Class 2 – Optional and shall be retained until reclassified a Class 3 – Disposable.

C. Class 3 – Disposable Records (Section 59025) – Required retention periods and procedures for destruction or transfer of records as specified in Title 5, Section 59026 and 59029. All records, other than continuing records, not classified as Class 1 – Permanent or Class 2 – Optional shall be classified as Class 3 – Disposable including, but not limited to:

1. Records basic to audit, including those related to attendance, full-time equivalent student, or a business or financial transaction (purchase orders, invoices, warrants, ledger sheets, cancelled checks and stubs, student body and cafeteria fund records, etc.), and detail records used in the preparation of any other report.
2. Periodic reports, including daily, weekly, and monthly reports, bulletins and instructions.

III. MICROFILM, MICROFICHE, OPTICAL DISKS OR OTHER REPRODUCTION TECHNIQUES

Microfilm, microfiche, optical disks, or reproduction which do not permit additions, deletions, or changes to the original document as defined in Commercial Code 9407.1 Section 13 and Title 5

California Code of Regulations, Section 59022, are microphotographic images of record material which may be retained in lieu of the record itself. The following requirements apply to microphotographic images of any class of records and then the original may be destroyed:

A. The reproduction must be accurate in detail.

B. If the record is photographed or microfilmed, the reproduction must be on film of a type approved for permanent photographic records by the United States Bureau of Standards and the American National Standards Institute. Education Code Section 35254 allows the District to destroy original records when provision is made to permanently maintain photographic or electronic copies for the District, except that no original record that is basic to any required audit shall be destroyed prior to completion of the audit.

C. The copy must incorporate the Vice Chancellor, Business Services or designee signed and dated certification of compliance with the provisions of the Evidence Code Section 1531, stating that copy is a correct copy of the original.

D. The copy must be conveniently accessible and provisions made for preserving permanently, examining and using same.

IV. RETENTION OF RECORDS (Section 59027)

Each fiscal year, and before January 1, the college president, vice chancellor, or appointed designee, shall classify and review every record originated during the prior fiscal school year. The retention period for Class 3 - Disposable Records should be designated and such records should be physically segregated by the fiscal year in which they are scheduled for destruction. In the inventory process, copies which are no longer useful to the District (except one copy of an original required by law to be filed with another agency) may be destroyed without making an inventory record.

With respect to college records, the president or designee, and with respect to the District, the vice chancellor or designee shall:

A. Personally supervise the classification of records.

B. Using only District approved, standard-sized, record storage boxes, mark each label as to classification, record title, and the school year in which records originated. If the records are classified as Class 3 - Disposable Records, the officer or designee shall also mark the school year in which such records are to be destroyed. Do not mix *different years* and Class 1 - Permanent Records or Class 2 - Optional Records with Class 3 - Disposable Records because when the destruction occurs, the *entire* box of records will be destroyed.

C. Supervise the destruction of records.

V. RETENTION PERIOD (Section 59026)

A. Generally, a Class 3 - Disposable Record, unless otherwise specified, should be destroyed during the third school year after the school year in which it originated (e.g. 2013-14 plus three years – 2014-17). Federal programs including various student aid programs may require longer

retention periods and such program requirements shall take precedence over the requirements contained herein.

B. With respect to records basic to an audit, a Class 3 - Disposable Record shall not be destroyed until after the third July 1, succeeding the completion of the audit required by Education Code Section 84040 or of any other legally required audit, or that period specified by Section 59118 of this part, or after the ending date of any retention period required by any agency other than the State of California, whichever date is later.

C. With respect to Class 2 - Optional Records, a continuing record shall not be destroyed until the third year after it has been classified as Class 3 - Disposable.

VI. DESTRUCTION OF RECORDS (Section 59021)

A. Class 1 - Permanent Records - Hard copy records can be destroyed *only* if originals have been microfilmed, microfiched or similarly preserved. (Refer to Page 3, "III. Microfilm, Microfiche, and Optical Disks.") After verification, hard copy records can be destroyed.

B. Class 2 - Optional Records and Class 3 - Disposable Records - Records can be destroyed after termination according to the retention period. Disposal of records should be supervised and accomplished by burning, shredding, pulping, or other means to assure destruction, and to prevent reconstruction of the records to any degree.

With respect to college records, the Chancellor or designee shall submit to the governing board a list of records recommended for destruction and shall certify that no records are included in the list in conflict with these regulations in accordance with Section 59027(b).

Disposal of records should be supervised and accomplished by burning, shredding, pulping or other means to assure destruction, and to prevent reconstruction of the records to any degree.

VII. DOCUMENT DESTRUCTION

Electronic Documents and Voicemail Purging - Electronic documents and voicemail messages have the same status as paper files in litigation-related cases. If an official investigation is underway or even suspected, employees must stop any document purging, including electronic documents and voicemail, in order to avoid criminal obstruction charges.

VIII. PREPARING RECORD BOXES FOR STORAGE

A. Fill out Record Transmittal Form including the class code, description of contents, year in which the records originated, and the destruction date. Send the form to the Warehouse Department. This form is available via the District Intranet under Purchasing Services. If assistance is required, contact the District Warehouse at extension 85976.

B. Records must be stored only in District-approved, Schick storage boxes. Using the label provided, fill in the classification code, record title, and the year in which the records originated. (Boxes without the above information will not be picked up for storage.) Retain all record boxes in your area. Upon receipt of your request, the Warehouse staff will pick up the box, assign a

box number to each box, and add that number to the Record Transmittal Form. A copy of the form will be given to the department to retain for future retrievals.

IX. RETRIEVING AND RETURNING BOXES TO STORAGE

A. You must complete a Records Withdrawal Refile Form. This form is available via the District Intranet under Purchasing Services.

1. Indicate whether you are requesting a withdrawal or a re-file.
2. Indicate the site, department, and room where the box will be either picked up or delivered.
3. Indicate the box number which was assigned by the Warehouse. (The number is located on your copy of the Records Transmittal Form.)
4. Describe the contents of the box.
5. Obtain the proper administrator's signature.

B. Forward the completed form to the District Warehouse facility at 8045 E. Chapman Ave., Orange, CA 92869. The request may also be sent via email to toner_armando@rscdd.edu or any other Warehouse personnel in the department listing.

C. The turnaround time for retrieval is usually one (1) working day from the time the Warehouse receives the request.

D. If there are extraordinary circumstances, such as auditors, and time is most critical, please don't hesitate to contact the Warehouse at extension 85976.

X. COMPANY TO USE FOR DESTRUCTION

A. On an annual basis, the Director of Purchasing will review a listing of end of life records and will authorize destruction. The destruction will be witnessed by the Director of Purchasing or a designee.

B. Certification of destruction will be filed in the Purchasing Department.

I. Class 1 - Permanent Records

Records to be retained permanently and the responsibility for maintenance and retention under the general direction of the Chancellor are as follows:

A. Chancellor

1. Board Documents
 - a. Board policies and administrative procedures
 - b. Minutes
 - c. Board docket
2. Legal Counsel Opinions
3. Elections called by the Board
 - a. Records of call, recall and results
4. District Organizations

- a. Records relating to Board action, formation, naming, boundaries, changes in boundaries, reorganizations.
 - 5. District Foundation
 - a. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations, financial audits and corresponding regulations governing operation of 501(c)(3) tax exempt not-for-profit organizations.
- B. Vice Chancellor, Business Services
- 1. Administrative Affairs
 - a. Budgets: State form, annual
 - b. Financial reports of all funds including cafeteria and student body funds (quarterly and annual)
 - c. Annual audit – all funds
 - d. Budget allocation and planning review committee minutes
 - e. Apportionment notices and worksheets
 - f. Tentative budget
 - g. Adopted/Final budget
 - h. All worksheets and budget change forms/transfers
 - i. Other major annual reports including those relating to property, activities, financial condition or transactions.
 - 2. Fixed Assets and Property Records
 - a. Property Records: All details records relating to land, building and equipment
 - b. All fixed assets
 - c. Buildings: Working drawings, blue prints and specifications of all structures, additions, alterations, certificates of approval of completion and related documents, change orders, contracts for construction, contractor payment requests, and appraisals
 - d. Equipment: All records relating to model numbers, quantity, type, identification number assigned, vendor, cost, date of acquisition, the person from whom acquired and disposal by sale, loss or otherwise.
 - 3. Payroll Records
 - a. Proven summary payroll of every employee
 - b. Salaries, wages, deductions and withholdings
 - c. Absence records (vacation cards and sick cards)
 - d. Payroll register
 - 4. Purchasing Services
 - a. Bids: Capital Outlay & Bond (successful bidder)
 - 5. Safety
 - a. Hazardous Waste Generator Reports
 - b. Hazardous Bill of Lading
 - c. Hazardous Waste Manifests
 - 6. Facility Planning/District Construction & Support Services
 - a. 5-year construction plan
 - b. Application for capital outlay funds
 - c. Escrow materials
 - d. Lease Agreements
 - e. Appraisals

C. Vice Chancellor of Human Resources

1. Personnel Records - Classified and Academic Employees
 - a. Dates of service rendered
 - b. Employment, assignment and reassignment records
 - c. Termination or dismissal notices
 - d. Evaluations
 - e. Retirement
 - f. Professional growth reports
 - g. Employee contracts
 - h. Collective bargaining agreements
 - i. Grievances
 - j. Unfair labor practices
2. Risk Management/Employee Health Benefits
 - a. Health and benefits contracts
 - b. District certificates - proof of insurance certificates
 - c. District worker's compensation insurance reports
 - d. Workers' compensation claims files
 - e. Liability claim files
 - f. Insurance policies
 - g. Insurance summary of loss runs
 - h. Employee benefits/fringe enrollment forms (retirees only)
 - i. OSHA logs
 - j. Accident or injury reports (all records for which a claim has been made.)

D. College Presidents

1. Academic Affairs
 - a. Catalog
 - b. Class schedules
 - c. Minutes of:
 - i. Advisory committee meetings
 - ii. Academic senate meetings
 - d. Accreditation reports
 - e. Faculty handbooks
2. Admissions & Records
 - a. Attendance reports
 - b. Class rosters
 - c. Confidential records, correspondence
 - d. Instructor grade sheets
 - e. Permanent transcripts
 - f. Reports of degrees and certificates
 - g. State 320 reports
3. Commencement Program
4. Student Government Minutes
5. Foundations
 - a. All documents of incorporation, governing by-laws and amendments, and all state and federal exemption designations and corresponding regulations governing operation of 501(c)(3) tax exempt not-for-profit organizations
6. Maintenance & Operations
 - a. Deferred Maintenance Five Year Plan

II. Class II - Optional Records

Records not required to be retained permanently and the length of retention for each record are for three, four, five, seven and ten years. Example:

1. Academic and Classified Employment Applications	Retention Period (years)
Application for Employment*	4
Contract/Offer of Employment*	4
Employment Tests*	4
Letters of Recommendation*	4
Reclassification Request	4
Recruitment	4
*Will be kept in personnel files of current employees until termination.	
2. Human Resources	
Conflict of Interest Statements	7
3. Business Services	
Contracts (all)	5
4. District Accounting	
Account Request Forms	3
Appropriation Transfer/Budget Change Forms	3
"B" Warrant Listing	3
"B" Warrant Summaries	7
Cancelled Checks - Revolving Fund/Clearing Account	7
Cash Receipts/Deposits	7
Categorical Program File (Agreements/Contract/Claims)	7
Check Books - Revolving Fund/Clearing Account	7
Check Registers	7
Community College Enrollment Fee (CCEF Report)	7
County Reconciliation Reports	7
Financial Reports (Local) Monthly Expenditure/ Revenue Request (BR0070)	7
Journal Vouchers	7
Nonresident Withholding Allocation Worksheet (587)	7
Nonresident Withholding Waiver Request (588)	7
Pay Vendor Files with Supporting Documents:	7
- Affidavit of Publication	
- Invoices	
- Pos and Receivers	
- Reimbursement Requests	
- Non-Resident Refunds	
Posted IFAS Batch Reports	3
Request for Taxpayer Identification Number & Certification (W9)	7
Revolving Cash Fund Receipt	7
Student Financial Aid Records	7
Trial Balances	7
Withholding Exemption Certificate (590)	7
5. Purchasing Services	
Bids (excluding capital outlay & bond)	4
Vendor Files	4
Maintenance and Service Contracts	4
Purchase Order Listing and Supplement	4

Docket Awards and Independent Contractors	4
Purchase Orders	4
Purchase Requisitions	4
Materials and Labor Bonds	4
Performance Bonds	4
Certificate of Insurance (vendors)*	3
Workers' Compensation Insurance Certificate (Vendors)*	3
*For ongoing contracts retain certificates for the length of the contract period.	
6. Facility Planning	
Allocations for Property Use	5
Architects Agreements	5
Escrow Materials	5
Master Plan	10
7. Financial Aid	
Applications, correspondence and records used for financial aid applications to federal, state and other agencies	7
8. Foundations (District & Colleges)	
Account Transaction Forms	5
Bank Statements	5
Check Logs	5
End-of-Year Trial and Balance and Balance Sheets	5
Investment Reports	5
9. Auxiliary Services	
A/P Check Listings	7
Bank Book	3
Bank Statements	3
Bookstore Inventory (annual)	3
Budget	7
Cancelled Checks	7
Cash Receipts/Deposits	7
Check Stubs	3
Community Education Application/Receipts	3
Daily Cash Sales Reports	3
Expenditure Vouchers	7
Financial Reports (monthly)	7
Invoices	3
Purchase Orders	3
Sales Receipts	3
Sales and Use Tax Slips	3
10. Maintenance & Operations	
Inspection Reports	3
Preventative Maintenance Schedules	3
Surveys	3
Vandalism Reports	3
Vehicle Request Forms	3
11. Safety & Security	
Daily Activity Logs	3
Daily Dispatch Logs	3
Lost and Found Logs	3
Underground Storage Tanks Reports*	3
On-Campus Incident Reports	3

Orange County Health Agency Inspection Reports*	3
OSHA Inspection Reports*	3
Parking Citations	3
Periodic Campus Safety Inspection Reports/Inspections*	3
Petroleum Products Storage/Handler Training	3
Staff Training Records*	3
- Hazardous Waste Generator/Handler Training	
- Forklift Training	
- First Aid/CPR Training	
Student Disciplinary Records	7
Criminal Background Records	7
Underground Storage Tanks Reports*	3
*Files are maintained at the District Office	
12. Payroll	
Duplicate Copies of Tax Returns/Tax Deposits	5
Copies of W-2 (including returned copies)	5
Cancelled/Voided Checks	5
W-4 and DE4 (Withholding Allowance Certificates)	5
Copies of Forms 941, 940, W-3, Schedule A, Schedule B	5
Unemployment Reports (DE9423)	5
13. Risk Management/Employee Health Benefits	
On-Campus Incident Reports (Copies of incident reports that have potential risk to the District are received from Safety)	3
Employee Benefit/Fringe Enrollment Forms*	7
Property/Liability Reports	7
Reports on Theft and Vandalism	5
*Will be retained for seven (7) years after termination.	
14. Admissions	
Admissions & Guidance Petition (A&G)	5
Academic Records from Other Institutions	5
Academic Records from Other Institutions if Student Fails to Attend	3
Add/Drop Cards	5
Admission Application (College Credit)	5
Admission Application (Continuing Education)	3
Admission Application (International Students)	3
Attendance Forms, Op-Scan	5
Board of Governor Grant Form (BOGG - C Waiver)	3
Career Advance Placement Form (CAP)	3
California Community College - Fiscal Service Unit (CCFS)	
320 Contact Hours by Class Audit Reports	5
Correspondence	3
Credit by Examination	5
Credit/No Credit	5
Evaluations and Petitions	5
Graduation Petitions	5
International Student Records	3
Proficiency Exam	3
Registration Cards and Residency Statements	3
Student Disclosure Form	3
Student Folders	5

Substandard Course Repetition Form	3
Transcript Request	3
Veterans Certifications	5
Veterans Education Administration Record (VEA)	5
15. Students' Health and Safety Records	
Students Examinations and Health Records	7
Records Pertaining to Eligibility for Licenses Examinations	7
Records Pertaining to Patient Confidentiality	7
Unusual Occurrences	7
16. Grants and Categorical Programs	
Correspondence with Funding Agency	5*
Original Contracts and Contract Amendments	5*
Periodic Progress and Final Reports	5*
Student Eligibility and Participation Records	5*
*Beyond end of entire project (if more than one year or last independent program audit or litigation).	
17. Citizenship	
Citizenship Records (All)	7

Responsible Manager: Director, Purchasing Services

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